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## HOME ( SPECIAL SECTION ) DEPARTMENT

### NOTIFICATION

The 14th January 2010

**S. R. O. No. 49/2010**—In exercise of the power conferred by Clause ( S ) of Section 2 of the Code of Criminal Procedure, 1973, the Government in Home Department has issued the Notification vide Order No. 31045-D. & A., dated the 7th August 2004 specifying the offences which can be investigated by the Vigilance Organisation.

As per the Clause 1, Schedule II of the Notification, dated the 7th August 2004 of Home Department, any other particular offence or class of offences that may be specified by the State Government from time to time can be enquired and investigated into by Vigilance Organization. During enquiry/investigation of the allegations on illegal mining, it is felt imperative that other sections of I.P.C. in addition to sections mentioned in Schedule II of the above Notification, dated the 7th August 2004 and the provisions of the Acts/Rules mentioned below may be applicable for the purpose of investigation of the cases.

1. The Orissa Forest Act, 1972
2. The Wildlife (Protection) Act, 1972
3. The Indian Forest Act, 1927
4. The Forest (Conservation) Act, 1980.
5. The Forest (Conservation) Rules, 2003
6. The Environment (Protection and Control of Pollution) Act
7. The Environment (Protection) Rules, 1986
8. The Air (Prevention and Control of Pollution) Act, 1981
9. The Air (Prevention and Control of Pollution) Rules, 1982
10. The Water (Prevention and Control of Pollution) Act, 1974
11. The Water (Prevention and Control of Pollution) Rules, 1975
12. The Water (Prevention and Control of Pollution) Cess Act, 1977
13. Orissa Minor Mineral Concession Rules, 2004

14. The Mines Act, 1952
15. The Mines and Minerals (Development and Regulation) Act, 1957
16. The Mineral Concession Rules, 1960
17. Orissa Minerals (Prevention of Theft, Smuggling and other Unlawful Activities) Act, 1988
18. Orissa Minor Minerals Concession Rules, 2004
19. Orissa Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007.

The State Government do hereby empower the officers of and above the rank of Inspector of Police posted under the Director, Vigilance, Orissa to conduct investigation/enquiry, take legal actions under the provisions of I.P.C., other relevant Acts and Rules pertaining to the illegal mining in the State and file Charge Sheet/Final Report as it is applicable after obtaining approval/sanction of the Competent Authority as and when required in the corresponding Acts /Rules.

The devolution of the above power shall be limited to the purpose of taking up enquiry/ investigation into the alleged mining activities referred to by the State Government or till the latter withdraws the same.

[ No. 128-C. ]

By order of the Governor

A. P. PADHI

Principal Secretary to Government